



APR 23 2008

DIRECTOR'S MEMORANDUM: 08-08

TO: ALL REGIONAL ADMINISTRATORS AND DIRECTORS FOR  
VETERANS' EMPLOYMENT AND TRAINING

FROM:   
GORDON J. BURKE, JR.  
Director, Operations and Programs

SUBJECT: Reviewing Modification Requests for Adjustments to Jobs for Veterans  
State Grants

- I. **Purpose:** To provide guidance to Veterans' Employment and Training Service (VETS) staff for reviewing and forwarding modification requests for changes to approved, multi-year Jobs for Veterans' State Grants.
- II. **References:** Title 38, United States Code (U.S.C.), Chapters 41 and 42 and Veterans' Program Letter (VPL) 03-08, The Modification Process for Adjustments to Jobs for Veterans State Grants, dated April 21, 2008.
- III. **Background:** VPL 03-08 was transmitted to the State Agencies on April 22, 2008. It contains instructions and timelines for preparing and submitting Jobs for Veterans' State Grant modification requests.

States may request modifications to their State Plan with their annual funding request or at any time during the fiscal year. States may identify a need to request additional funding to support a special initiative, to respond to exigencies, purchase equipment for grant funded staff, and/or to conduct training conferences. Any significant changes to the cost, scope or conditions of the grant require a modification request and Grant Officer approval which is contingent on the availability of funds and the purpose(s) for which additional funds are requested.

- IV. **Review of Modification Requests:** Once submitted to VETS for consideration, modification requests should be carefully reviewed for completeness, accuracy, feasibility, and adherence to policy and guidance. All modification requests must be reviewed by both the Director for Veterans' Employment and Training (DVET)

and Regional Administrator for Veterans' Employment and Training (RAVET) and must be received in the National Office at least forty-five (45) days before the quarter in which the State would like to effect the requested changes. Because all requests for additional funding must be approved by the Grant Office and awarded to the States prior to the last day of the fiscal year (September 30<sup>th</sup>), no modification requests will be considered for approval by the National Office if received after the close of business on the first Friday in August of any fiscal year.

The National Office will consider requests for additional funding in the order received. Since approval or disapproval will be based on the merit of the request VETS staff should ensure the State clearly describes all costs and the expected quantifiable outcomes associated with the modification. All deficiencies or issues identified during the review should be corrected prior to submission for the next level of review. The following documents are used to request modification to the State Plan:

**A. Transmittal Memorandum** (required): States are required to provide a transmittal memorandum signed by an authorized agency representative with their request. Under normal circumstances, governors delegate this signature authority to the person who manages the grantee agency, i.e. State Agency Administrator, Director, Commissioner, etc. This person may further designate his or her signature authority. If the transmittal memorandum is signed by the person given signature authority by the governor, the Transmittal Memo must contain a statement that the signatory is authorized to enter into an agreement with the U.S. Department of Labor (USDOL). If it is signed by someone else, a delegation of signature authority must be included with the modification. These documents cannot be signed "For" another person unless the name of the person who signed can easily be discerned and a signature delegation for that person is included with the modification.

As stated in VPL 03-08, to be complete and accurate, the memorandum should include:

- A clear description of any changes in funding levels requested by the modification and the new total funding amount;
- A clear description of the intended results of modification request to include the an explanation of the benefit(s) to the targeted category(s) of veterans or transitioning service members;
- An assurance that all fiscal year funding, including any additional funding received as a result of the approved modification, will be obligated by the deadline stated in the USDOL's annual appropriation (usually the last day of the "5<sup>th</sup> quarter" or December 31st);
- A description of how the total modification amount will be allocated in accordance with the examples provided in VPL 03-08, paragraph IX. A; and
- A description of and justification for equipment purchase requests (if the modification includes a request to purchase equipment with a per-unit cost of \$5,000 or more).

**B. Modified Budget Plan** (required) – All modification requests will include new budget documents, i.e. the Standard Form (SF) 424, an SF 424A (DVOP) and an SF 424A (LVER) even if the State is requesting a change to only one program. Since both SF 424As are needed to support the total funding on the SF 424, all three forms must be submitted. The SF 424As and SF 424 and VETS specific instructions can be found at: [www.dol.gov/vets](http://www.dol.gov/vets).

To be complete and accurate:

- The forms must be prepared in accordance with the instructions provided;
- Both SF 424As must contain the abbreviation for the State name, grant number reflecting the fiscal year to which the funding will be applied, and date prepared;
- All “totals” listed on the SF 424 and in Section D of the SF 424As must be rounded to the nearest thousand;
- Line 18 a. of the SF 424 should reflect the total, rounded amount requested for DVOP and LVER activities (including the modification);
- Line 18 e. of the SF 424 should reflect the total, rounded amount requested for Special Initiatives and the Transition Assistance Program (TAP) (including the modification);
- Line 18 g. of the SF 424 should reflect the new, revised total amount of funding if the modification is approved; and
- The sum of the total amounts requested in Sections A and D of the SF 424A (DVOP) and SF 424A (LVER) should match line 18 g. of the SF 424.

**C. Additional Forms:** If applicable, modification requests should also include:

**1. Staffing Directory** – If the State is requesting funding for additional staff or approval to reassign staff, an updated Staffing Directory is required. A Staffing Directory is provided at [www.dol.gov/vets](http://www.dol.gov/vets). To be complete and accurate, the Staffing Directory should identify:

- All locations where full- and half-time DVOP specialists and LVER staff are assigned as their primary duty location to include central and sub-state offices by office name and address;
- All staff, whether funded in whole or in part by the grant, by name, position (DVOP or LVER), and type of appointment (half-time or full-time);
- The date each grant funded staff person was appointed to their current position;
- All staff funded through a Special Initiative or by grant funding to provide functional oversight, regional coordination or other supervisory/managerial responsibilities by name, title, and location;
- All vacancies; and
- All positions filled by non-veterans for more than six months.

- 2. TAP Employment Workshop Forecast** – If the modification request will change the number and/or scope of TAP Employment Workshops listed in the annual funding request or most current approved State Plan, a new or revised TAP Employment Workshop Forecast must be submitted.

To be complete and accurate, the TAP Employment Workshop Forecast should include:

- The grant number, abbreviation for the State name and date prepared;
- All locations where grant-funded staff will facilitate workshops;
- The number of workshops per quarter per location;
- The total number of workshops for the fiscal year per location; and
- The total number of workshop days facilitated by grant funded staff per location.

A properly formatted form with instructions is provided at [www.dol.gov/vets](http://www.dol.gov/vets).

- 3. Assurance/Certifications Signature Page** – The Signature Page provided at [www.dol.gov/vets](http://www.dol.gov/vets) should be completed signed and submitted with the modification request **only if** the agency administering the grant has changed since the most current SF 424 was approved for this grant. The Signature Page indicates that the new agency will comply with the Assurances and Certifications required for grantees that enter into an agreement with the USDOL. These Assurances and Certifications are included with the last SGA (VPL 03-04, Enclosures 6a – 6e located at <http://www.dol.gov/vets/vpls/VPLDirectory.htm>) and hyperlinks to the certifications are included on the bottom of the signature page. When submitted, the Signature Page must be signed by an authorized signatory. **NOTE:** This is not a delegation of signature authority, nor is it required when there is change in designated signature authority(s). It is only required to be submitted when the State Agency that will receive grant funding is new or has been renamed.

- V. Approval Policy Considerations:** At the present time, VETS will consider each modification on its own merit and will base approval decisions primarily on the availability of funds and the order in which requests were received. When available funding is limited with respect to the total amounts requested in a given quarter, VETS will consider approvals generally in the following order of priority:

- Continuing Special Initiatives, e.g., approved REALifelines Intergovernmental Personnel Act (IPA) contracts;
- Unanticipated increases in staff costs such as state legislated salary increases, unanticipated benefits adjustments, cost of living increases, etc;
- Exigencies such as labor market shifts, natural disasters, office closures, etc;
- Changes in scope to the approved plan, e.g. use of excess funds, staff realignment, new proposals for non-recurring Special Initiatives, etc;
- Supplemental funds for level of staff above what can be covered by the annual allocation amount. **NOTE:** Supplemental requests to fund additional staff must include an attrition plan that indicates how and by when the grantee projects to get staff down to a level that can be covered by anticipated annual allocations; and
- Additional funds for conferences.

**VI. DVET Analysis:** VETS staff should review all State modification requests carefully not only for accuracy and completeness, but also for **feasibility and proper/allowable use of grant dollars**. Since modification requests can be submitted for more than one purpose, the review should analyze each purpose separately. The DVET and RAVET should recommend approval or disapproval of each proposal on its own merit, regardless of whether the funds requested are or are not currently available for redistribution. Spending forecasts for each program activity can be analyzed using the DVET Review Summary provided as Attachment I. Reviewers should analyze the breakout of forecast spending in accordance with the following guidance:

- If the sum of the amounts forecast for Personnel and Benefits for each program deviate by 5% or more from the comparable total found in the most recently approved spending plan, the DVET will note the deviation in his/her transmittal memorandum and should determine and note the reasons for the deviation;
- The amounts forecast for Travel in each program should coincide with and be reasonable for the duties assigned to that activity, e.g. the amount forecast for Travel for TAP should appear reasonable considering the grant funded staff member's location in relation to the TAP site;
- In most cases, Special Initiatives for IPA contracts should not contain spending for Equipment or Supplies since these will be provided by the Federal Agency to which the IPA is assigned. If spending is forecast in these categories, it should be explained and justified;
- When Incentive spending is forecast on a modification request, it should be reviewed to ensure the total does not exceed 1% of the annual allocation to the State (not 1% of the total amount including the modification); and
- The Staffing Directory should be reviewed to ensure grant funded staff are assigned in accordance with VETS policy. For example:
  - ♦ If more than one half-time LVER or more than one half-time DVOP specialist is assigned to the same office, the State should explain why this assignment has been made and how it is more advantageous to the veterans being served than one full-time staff assignment would be; and
  - ♦ Those staff members that provide functional oversight, supervisory or management of veterans' programs should only charge to the LVER program. The number of those positions should be regulated in accordance with the approved State plan and prior staff directories.

**VII. Actions Required:**

- A. DVETs will provide technical assistance to State agencies as needed, particularly when determining the optimal use of DVOP and LVER staff resources, and/or the need to modify a State Plan or budget. DVETs will ensure that the State fully understands the requirements regarding modifications and will assist with completing the request as needed.

B. Upon receipt, DVETs will use the DVET Review Summary and Review Checklist provided as attachments to this DM to conduct a thorough review and analysis of the modification request. If errors are identified for correction or issues are found that require explanation, the DVET will return the request to the State for further action. After all action items are cleared, the DVET will forward the original request with a transmittal memorandum containing their analysis and recommendation for approval/disapproval to the RAVET:

- The hard copy with signatures will be sent via Federal Express (FedEx) within five working days; and
- The electronic copy will be forwarded within five working days.

C. RAVETs will conduct a thorough analysis and recommend approval or disapproval of portions or the entire request and forward it to the National Office within 10 working days of receipt of a complete and accurate request. The complete request submitted by the State Agency with the DVET's and RAVET's analysis and recommendation will be forwarded as follows:

- The hard copy with signatures will be sent to the VETS National Office, Attn: DVOP/LVER Program Lead via Federal Express (FedEx); and
- The electronic copy will be forwarded to the VETS National Office DVOP/LVER Program Lead (currently [Hecker.Patrick@dol.gov](mailto:Hecker.Patrick@dol.gov)) and the Jobs for Veterans Lead Center Program Analyst (currently [Mendoza.Alfredo@dol.gov](mailto:Mendoza.Alfredo@dol.gov)).

As indicated in VPL 03-08, modification requests must be received by the National Office DVOP/LVER Program Lead no later than 45 days prior to the end of the quarter which will be affected by the proposal, or by the first Friday of the first full week in August for mid 4<sup>th</sup> quarter modification requests.

**VIII. Inquiries:** DVETs or other VETS staff should refer questions to the appropriate RAVET. Issues that cannot be resolved by the Regional Office should be addressed to the Regional DVOP/LVER Expert Cluster (DLEC) member. The DLEC member will seek resolution through the Jobs for Veterans Lead Center or National Office. A response will be sent to the RAVET by the DLEC member.

**IX. Expiration Date:** When superseded or rescinded.

**X. Attachments:**

- I. DVET Review Summary and Example
- II. Review Checklist